

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

THOMPSON PRODUCTS, INC.,
a Delaware corporation,
Plaintiff,

v.

GLENN THOMPSON and
THOMPSON ENTERPRISES, INC.,
Defendants.

C.A. No. 05-11810-RGS

**DEFENDANTS' MOTION TO EXTEND TIME TO FILE THEIR OPPOSITION
TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

Defendants Glenn Thompson and Splash Creations, Inc. (f/k/a Thompson Enterprises, Inc.) hereby request an additional fourteen (14) days, from December 7, 2005 through and including Wednesday, December 21, 2005, within which they may file their opposition to Plaintiff Thompson Products, Inc.'s ("TPI") Motion for Preliminary Injunction.

As grounds for this motion, Defendants state as follows:

1. TPI filed its Motion for Preliminary Injunction (Doc. No. 13) on Wednesday, November 23, 2005, just prior to the Thanksgiving holiday. Defendants learned of this filing on the afternoon of November 23, 2005, when they received an electronic notification from the Court. Defendants' opposition is currently due on Wednesday, December 7, 2005.

2. Because TPI failed to comply with Local Rule 7.1(A)(2), which requires counsel to confer prior to filing a motion, Defendants had no advance notice whatsoever that TPI planned to file a motion for preliminary injunction.

3. On the same day, November 23, 2005, TPI filed a Motion to Amend the Complaint (Doc. No. 14). Defendants' opposition to the Motion to Amend is also due on Wednesday, December 7, 2005.

4. On November 2, 2005, TPI filed a Motion to Dismiss Defendants' Counterclaim (Doc. No. 5) and on November 14, 2005, TPI filed a Motion to Disqualify Mr. Medeiros and his law firm from representing Defendants in this action (Doc. No. 10).

5. Thus, in the three weeks between November 2, 2005 and November 23, 2005, TPI filed and served four (4) motions that require a response from Defendants.

6. Extensions of time are routinely granted on vital motions such as motions for Preliminary Injunctions.

7. Even though TPI commenced this lawsuit on September 1, 2005, it waited nearly three months to move for a preliminary injunction. TPI cannot now argue that an additional fourteen (14) days will be prejudicial.

8. Even with an extension of fourteen (14) days, briefing will be closed nearly one month before the Rule 16.1 Scheduling Conference on January 16, 2006.

Respectfully submitted,

GLENN THOMPSON AND THOMPSON
ENTERPRISES, INC.

By their attorneys,

/s/ Matthew F. Medeiros

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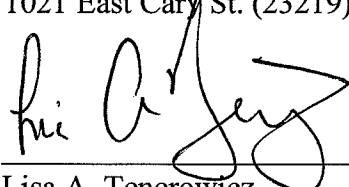
/s/ Lisa A. Tenerowicz

Michael L. Chinitz (BBO # 552915)
Lisa A. Tenerowicz (BBO# 654188)
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DATED: December 1, 2005

Certificate of Service

I, Lisa A. Tenerowicz, hereby certify that on December 1, 2005, I served a true and accurate copy of the above Motion to Extend Time by U.S. Mail to Terrence P. McCourt, esq. and Andrew T. Kang, Esq., Greenberg Traurig, LLP, One International Place, Boston, MA 02110, and a copy was also sent via overnight mail to Sandy Tucker, Esq., Williams Mullen, A Professional Corporation, 1021 East Cary St. (23219) P.O. Box 1320, Richmond, VA 23218-1320.



Lisa A. Tenerowicz

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

Pursuant to Local Rule 7.1, I hereby certify that on December 1, 2005, I spoke with plaintiff's counsel, Andrew D. Kang, in an effort to resolve or narrow the issues presented by this motion. Mr. Kang stated that he would assent to a seven (7) day extension, but would not assent to a fourteen (14) day extension.¹

/s/ Lisa A. Tenerowicz
Lisa A. Tenerowicz

So Ordered:

Richard G. Stearns
United States District Judge
Entered:

¹ However, because Defendants' response to TPI's Motion to Disqualify is due on December 12, 2005, a seven-day extension would afford Defendants' only two additional days, until December 14, 2005, to respond to TPI's Motion for Preliminary Injunction.